

REMARKS

Claims 6-11 and 20-24 are pending in this application. Claims 6 and 20 are amended to clarify embodiments of the present invention. New claims 25 and 26 are added. Support for these amendments may be found throughout the specification, e.g., page 11, lines 5-7; pages 13-18; Figures 3 and 4. The amendments raise no new issues and require no further search. Thus, entry at this time is proper. Favorable reconsideration and allowance of the present patent application and the claims are respectfully requested. These amendments and remarks are believed to place the application in immediate condition for allowance.

While claims 6 and 20 have been amended, Applicants do not concede that the Office Action's statutory rejections are proper. The amendments are understood to not narrow the scope of the claimed embodiments, nor have they been made for reasons related to patentability. Rather, the amendments have been made to clarify the claimed embodiments. Thus, in future construction or interpretation, the amended claims should be entitled to a full range of equivalents.

Applicants acknowledge with appreciation that the Examiner has considered the Information Disclosure Statement filed May 10, 2002. Applicants also note that the Examiner acknowledges the claim for foreign priority under 35 U.S.C. § 119.

35 U.S.C. § 103 Rejections

Claims 6-11 and 20-24 stand rejected under 35 U.S.C § 103(a) as allegedly rendered obvious by U.S. Patent No. 6,031,575 (Suzuki et al.). Applicants respectfully traverse the rejections in view of the foregoing amendments and the following remarks.

Applicants maintain that claims 6-11 and 20-24 are not rendered obvious in view of Suzuki. To establish obviousness, the Office Action must meet three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references must teach or suggest all the claim limitations. MPEP 2143. Applicants respectfully maintain the Office Action fails to establish obviousness with respect to claims 6-11 and 20-24.

Suzuki relates to an image signal and coding method, and apparatus to encode first and second image signals in decomposed forms, and a key signal used to combine the first and second image signals. According to Suzuki, a background image F1 and a foreground image F2 are processed by taking a picture of an object in front of a background having a particular color. The areas having colors different from the background color are extracted.

These areas are represented by a key signal K1. Referring to Figures 8A and 8B, a first VOP decoder 41 decodes the bit streams of foreground image signal and key signal into a foreground image signal and a key signal corresponding to the input signal provided to the first VOP encoder 41. A combiner 44 combines the background image signal and the foreground image signal using the key signal.

As discussed above, the cited patent must disclose or suggest all the limitations of the claimed embodiments. Applicants maintain that Suzuki does not disclose or suggest all of the claim limitations of amended claims 6 and 20.

Referring to Fig. 32 of Suzuki, the header information according to Suzuki is provided with a flag "Vop Tem Ref" in a VOP layer. Column 46, lines 48-53. In contrast, the header information according to the present invention is provided with display speed information in a layer (VOL, GOV) above a VOP, as recited in the claims. With this feature, the decoder according to the present invention is capable of a simplified and speedy process.

Referring to Applicants' Figure 1, a plurality of VOPs are included in a layer (VOL, GOV) above a VOP. Because a bit stream according to Suzuki is not provided with display speed information in a layer (VOL, GOV) above a VOP, the conventional decoder cannot determine the display speed of a VOP unless it analyzes each of the VOP headers. This analysis has resulted in a complex process

and a relatively slow processing speed of the conventional decoder.

Because the header information according to the present invention is provided with display speed information in a layer (VOL, GOV) above a VOP, the claimed embodiments determine the display speed of VOPs included in the higher layer (VOL, GOV) without analyzing each of the VOP headers. As a result, the decoder process is simplified and quicker than conventional processes. Thus, Suzuki does not disclose or suggest all the features of the claimed invention.

Further, Applicants maintain that the Office Action fails to provide any evidence of a motivation to modify Suzuki to achieve the claimed invention. Specifically, Suzuki does not disclose or suggest modifying the features discussed above. Suzuki does not disclose or suggest modifying a header information area to include a codeword for a layer that is above a VOP. One skilled in the art would not be motivated to modify Suzuki as alleged by the Office Action. Thus, Applicants respectfully request that the Examiner withdraw the obviousness rejections.

The remaining dependant claims are allowable at least by virtue of their dependency on the above-identified independent

claims. In addition, these claims recite additional subject matter that is not disclosed or suggested by the cited patent.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact William F. Nixon (Reg. No. 44,262) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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